

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY CARACAS IMMEDIATE

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E.O. 11652: NA

TAGS: SHUM, VE

SUBJECT: VENEZUELAN HUMAN RIGHTS SUBMISSION TO CONGRESS

1. DEPARTMENT IS PREPARING A HUMAN RIGHTS REPORT FOR SUBMISSION TO THE CONGRESS, WITHIN NEXT FEW DAYS. WHILE VENEZUELA HAS AN EXEMPLARY RECORD ON HUMAN FREEDOMS, VENEZUELAN PORTION OF REPORT CONTAINS CERTAIN REFERENCES ON WHICH WE HAVE QUESTION. APPRECIATE EMBASSY COMMENT AND CONCURRENCE ASAP ON SECTIONS WHICH FOLLOW:

2. QUOTE THREE OFFICERS OF THE MILITARY INTELLIGENCE SERVICE WERE CONVICTED IN 1974 WHO HAD BEEN ENGAGED IN DEFENDING A LEFTIST GROUP SUSPECTED OF BEING INVOLVED IN AN ASSASSINATION. UNQUOTE. TRUE? CONVICTED OF WHAT?

3. QUOTE. TORTURE, CRUEL OR INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT IS NOT SANCTIONED BY THE VENEZUELAN GOVERNMENT. ACCESS TO LEGAL GUARANTEES SUCH AS HABEAS CORPUS IS AVAILABLE IN VENEZUELA. UNQUOTE.

4. QUOTE. A LEFTIST GROUP PUBLISHED A FULL-PAGE
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ACCUSATION IN LATE 1975 LISTING PERSONS DETAINED FOR

ALLEGED POLITICAL PURPOSES AND ACCUSING THE GOVERNMENT
OF NOT TELLING THE TRUTH ABOUT THE EXISTENCE OF POLITICAL

PRISONERS IN VENEZUELA. THE GOVERNMENT REPLIED BY
DETAILING THE CRIMES WITH WHICH EACH PERSON NAMED HAD
BEEN CONNECTED. THESE INCLUDED MURDER, KIDNAPPING AND
ARMED REBELLION. PROLONGED DETENTION WITHOUT TRIAL DOES
NOT APPEAR TO TAKE PLACE IN VENEZUELA. UNQUOTE.

5. QUOTE. THE RIGHT TO A FAIR HEARING AND TO A FAIR
TRIAL IS OBSERVED. UNQUOTE.

6. QUOTE. THE AMNESTY INTERNATIONAL 1974/1975 REPORT
ON TORTURE STATED THAT IN NOVEMBER, 1974 INFORMATION
HAD BEEN RECEIVED ON OVER 100 PRISONERS DETAINED BETWEEN
1968 AND 1973 AND HELD FOR POLITICAL REASONS. THE REPORT
SAID THAT MANY OF THESE PRISONERS HAD ALLEGED SEVERE
TORTURE BY BOTH MILITARY AND CIVILIAN SECURITY AGENCIES.
FREEDOM HOUSE LISTS VENEZUELA AS 'FREE'. UNQUOTE.

7. QUOTE. AMNESTY INTERNATIONAL GROUPS ARE AT PRESENT
INVESTIGATING TWO CASES IN VENEZUELA. BOTH ARE PEASANTS
DETAINED FOR ALLEGED COLLABORATION WITH GUERRILLA GROUPS;
BOTH ARE HELD UNDER MILITARY JUSTICE. THREE PEASANTS
ADOPTED IN 1973 WERE RELEASED IN LATE 1974 AFTER AI
ADOPTION GROUPS EXCHANGED CABLES AND LETTERS WITH
VENEZUELAN OFFICIALS, INCLUDING PRESIDENT CARLOS ANDRES
PEREZ WHO TOOK OFFICE IN MARCH 1974. THE RELEASED
PRISONERS HAD BEEN HELD WITHOUT TRIAL UNDER MILITARY
LAW, CHARGED WITH MILITARY REBELLION. ONE OF THE THREE,
SIMON JOSE GIL, WAS DETAINED IN JANUARY 1969, AND
RELEASED AFTER ALMOST FIVE YEARS' DETENTION WITHOUT TRIAL.

AI HAS RECEIVED CONSIDERABLE INFORMATION ON TORTURE AND
MALTREATMENT IN VENEZUELA PRIOR TO 1974, BUT THERE HAVE
BEEN NO MORE RECENT ALLEGATIONS.

IN NOVEMBER 1974 AI RECEIVED INFORMATION ON OVER 100
PRISONERS HELD IN VENEZUELA FOR POLITICAL REASONS. MOST
ARE HELD FOR ALLEGED GUERRILLA ACTIVITY. ALMOST ALL OF
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THESE PRISONERS ARE HELD UNDER MILITARY JUSTICE, CHARGED
WITH MILITARY REBELLION, AND WERE DETAINED BETWEEN 1968
AND 1973. MANY ALLEGED SEVERE TORTURE BY BOTH MILITARY
AND CIVILIAN SECURITY AGENCIES. ONLY A SMALL PERCENTAGE
HAVE BEEN TRIED. A NUMBER OF POLITICAL PRISONERS
SENTENCED TO LONG PRISON TERMS FOR MILITARY REBELLION
WERE RELEASED IN EARLY 1975. UNQUOTE. KISSINGER

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